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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	DOCKET NO. 7:20-CR-167-4M
)	
vs.)	
)	
JUSTIN WADE HERMANSON,)	
)	
Defendant.)	

TRANSCRIPT OF DETENTION HEARING
BEFORE MAGISTRATE JUDGE ROBERT B. JONES, JR.
WEDNESDAY, FEBRUARY 10, 2021; 1:03 PM
WILMINGTON, NORTH CAROLINA

FOR THE GOVERNMENT:

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1 I N D E X

2 WITNESSES: DIRECT CROSS REDIRECT RECROSS VOIR DIRE

3 For the Defendant:

4 Carleen Hermanson 7

5 RULINGS: PAGE LINE

6 Defendant released with third-party custodian 14 19

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1 P R O C E E D I N G S

2 THE CLERK: All rise. The Honorable Court is now
3 back in session. Please be seated and come to order.

4 THE COURT: All right. Are the parties ready to get
5 started?

6 MS. KOCHER: Thank you, Your Honor.

7 Your Honor, the government is satisfied that there
8 are a set of conditions which would reasonably appear the --
9 I'm sorry -- which would reasonably assure the appearance of
10 the defendant at future proceedings, as well as protect the
11 community from any danger that this defendant might cause.

12 THE COURT: Have you shared those with Mr. Paramore?

13 MS. KOCHER: We are working through them now, Your
14 Honor.

15 THE COURT: Okay. Has probation seen those? Have
16 you seen them?

17 MS. FITZGERALD: They're working through it right
18 now. I'll see them here in a second.

19 THE COURT: Okay. All right.

20 (Pause)

21 MS. KOCHER: If I may approach the probation officer?

22 THE COURT: Yes, ma'am.

23 Have you gotten a chance to review those?

24 MR. PARAMORE: Yes, sir, Judge. Judge, there's one
25 modification with respect to what you're looking at on your

1 bench there. And there's one other condition that I know
2 about. I want to ensure they're --

3 (Pause)

4 THE COURT: All right. I've got the proposed
5 conditions in my hands.

6 What are defense thoughts about these?

7 MR. PARAMORE: Your Honor, I've reviewed those. Ms.
8 Kocher was kind enough to discuss them with me. And I would
9 just ask the Court to adopt those, if the Court pleases.

10 THE COURT: Did you read these with your client?

11 MR. PARAMORE: Yes, sir. Judge, we changed from what
12 was initially in the pre-trial report to home detention with
13 electronic surveillance with the RF surveillance. And he
14 consents to that and the other conditions.

15 THE COURT: Are you agreeable to these?

16 MS. KOCHER: Excuse me, sir? I did read them.

17 THE COURT: You're agreeable to them?

18 MS. KOCHER: Yes, sir.

19 THE COURT: Okay. Tell me a little bit about this
20 case, to the extent where the Court can find how these are
21 reasonably assuring.

22 MS. KOCHER: Thank you, Your Honor. The case against
23 Mr. Hermanson stems from an indictment which found, by
24 probable cause, that he was a member of a conspiracy, the
25 members of which were rooted in a white supremacy extremism

1 that had stated their ultimate goals on a neo-Nazi forum in
2 2016 and 2017. Mr. Hermanson was not involved at that time,
3 but met one of the co-defendants, Liam Collins, while
4 stationed at Camp Lejeune, in the Marines, in or about 2018.

5 Mr. Hermanson was brought into the circle, as it
6 were, first as a friend of Mr. Collins, became a go-between
7 for Mr. Collins and the person and codefendant, Paul Kryscuk,
8 who was then in Idaho, in terms of the sale and provision of
9 unserialized handguns -- 9-millimeter handguns, as well as
10 homemade suppressors, both of which -- particularly the
11 suppressor in any event, but the GLOCKs, when manufactured in
12 one state and then transported to another without a proper
13 license, are both in violation of the gun laws.

14 Mr. Hermanson, here, had his own transaction and had
15 one of those unserialized handguns, as well as a suppressor.
16 He was also in possession of a short-barrel rifle and a sawed-
17 off shotgun, all of which were seized, as well as a number of
18 firearms owned by his father, to which the government has no
19 belief that those were wrongly held. I don't mean to imply
20 anything illegal in that. More the opposite, that there did
21 appear to be a family familiarity with firearms and those
22 types of things.

23 I understand that the defendant's participation in
24 this came at a time when he was particularly vulnerable, that
25 currently, the government does not believe that he would have

1 ongoing conduct in the types of crimes alleged in the
2 indictment. The suggested conditions take in consideration
3 some of those conditions, some of the challenges that the
4 defendant was facing through his involvement with this group.
5 It would protect through home detention. For instance, he
6 lives very close to Camp Lejeune, and it would take care of
7 any ongoing concern of his approaching or being on or near
8 Camp Lejeune. It would prevent travel to other states where
9 there might be unindicted and unarrested coconspirators. And
10 in general, I believe that that level of supervision is
11 appropriate, and with which he would be reasonably assured of
12 appearing and no danger to the community.

13 THE COURT: Okay. Mr. Paramore, you're proposing
14 Carleen Hermanson as a third-party custodian; is that correct?

15 MR. PARAMORE: She's his mother. She's here.

16 Would you stand up, please, Ms. Hermanson?

17 THE COURT: Okay. Would you mind calling her to the
18 stand and ask her --

19 MR. PARAMORE: Yes, I'll call her.

20 THE COURT: -- the typical questions to assure the
21 Court that she can fulfill that role?

22 MR. PARAMORE: Okay. Would you approach the witness
23 stand, please, Carleen? Would you stand there? I'll have you
24 raise your hand.

25 THE CLERK: If you would, please place your left hand

Colloquy

1 on the Bible and raise your right hand.

2 DEFENDANT'S WITNESS, CARLEEN HERMANSON, SWORN

3 THE CLERK: Thank you. You can take a seat.

4 THE COURT: Go ahead.

5 MR. PARAMORE: Thank you, Your Honor.

6 DIRECT EXAMINATION

7 BY MR. PARAMORE:

8 Q. Would you state your name for the judge, please?

9 A. Carleen Hermanson.

10 Q. Ms. Hermanson, we're being recorded. Could you spell
11 your last name for the Court, for the record?

12 A. H-E-R-M-A-N-S-O-N.

13 Q. Okay. Thank you.

14 Where do you physically live?

15 A. 103 Walnut Drive, Swansboro, North Carolina.

16 Q. Swansboro. And who do you live with?

17 A. My husband, Russ, and my daughter, Callie.

18 Q. Okay. And can you describe briefly for Judge Jones the
19 residence that you live in? How many bedrooms, bathrooms,
20 things of that nature.

21 A. Just a small ranch home, three bedrooms, two bathrooms in
22 a small, you know, private community.

23 Q. Okay. And specifically there are no firearms in the home
24 now; is that correct?

25 A. My husband's actually in the process of removing those.

Colloquy

1 He had a -- a hunting rifle, because he does bear hunt, but
2 he's in the process of getting that stored safely out of the
3 home.

4 Q. And do you know what status that is? Has it been done?
5 Has it been removed from the home yet?

6 A. I believe he's actually working on that as we speak.

7 Q. Okay. Specifically, your daughter who stays at home is
8 how old?

9 A. She'll be eighteen in April.

10 Q. Okay. And can you tell the Court your type of
11 employment?

12 A. I'm a bookkeeper. I'm self-employed. I'm a bookkeeper.
13 I work for about fifteen different clients in the area. I
14 work from home, and I do go to specific clients -- some on a
15 weekly basis, some on a monthly basis. But I'm fortunate
16 enough to have flexibility. I have the keys to their office,
17 so I can work hours that would coincide with my husband's
18 hours. So if my husband comes home at 4:30, I can -- I can
19 leave and, you know, go to an -- an off-site client while my
20 husband's home. So we could always work our schedules to be
21 sure that somebody's always home.

22 Q. And Ms. Hermanson, what does your husband do, briefly?

23 A. He works civil service on the air station. He's -- his
24 job is -- he's an engineering technician. But he really -- he
25 works for the ROIKE (ph.) office doing building inspections

Colloquy

1 and things of that nature.

2 Q. And so what you were describing for Judge Jones was how,
3 with your flexibility and schedule, and your husband, that you
4 all would be able to have someone at home just about every
5 moment; is that correct?

6 A. Yes, sir. My -- my husband -- my husband works at home.
7 Like, it alternates right now, so one week, he'll work at home
8 Tuesday, Thursday, and then the other week he'll work home
9 Monday, Wednesday, Friday. So there is -- we are home quite a
10 bit. And then, of course, I work at home a few days a week as
11 well.

12 Q. And so your son, Justin, he has his own bedroom; is that
13 correct?

14 A. He does.

15 Q. Do you understand your role as a third-party custodian?

16 A. Yes, sir.

17 Q. I've described that to you, where you're there, and if
18 you find that your son is in violation of the conditions of
19 release, that you're required to notify probation, who is
20 supervising him. Do you understand that?

21 A. Yes, sir.

22 Q. Will you do that?

23 A. Yes.

24 Q. Okay. All right.

25 MR. PARAMORE: At this time, I have no further

Colloquy

1 questions of Ms. Hermanson.

2 THE COURT: All right. Ms. Kocher?

3 MS. KOCHER: No questions, Your Honor.

4 THE COURT: Ms. Hermanson, you said your son has a
5 bedroom in the home; is that correct?

6 THE WITNESS: Yes, sir.

7 THE COURT: And that's at 103 Walnut Drive in
8 Swansboro?

9 THE WITNESS: Yes, sir.

10 THE COURT: Okay. So there are some proposed
11 conditions of release of your son. And what I'd like to do is
12 I'd like to read these conditions.

13 Mr. Hermanson, I want you to hear these as well.

14 But I'd like you to hear them and let me know if you
15 see any issue with -- whether these are realistic conditions,
16 whether it's realistic to expect that he would comply with
17 these, or also I want to ensure that you don't see any
18 problems with you being able to do your level best to ensure
19 that he does follow these conditions. Do you understand what
20 I'm asking you?

21 THE WITNESS: Yes.

22 THE COURT: Okay. So the conditions are what we
23 refer to as the mandatory conditions. That is that your son
24 must not violate any federal, state, or local law while he is
25 on release, that he provide a DNA sample, if that is

Colloquy

1 authorized, that he advise the court or the pre-trial services
2 office or supervising officer in writing before making any
3 change of residence or telephone number. He must also appear
4 in court as required. If he's convicted, he must surrender as
5 he is directed to serve any sentence that may be imposed upon
6 him.

7 He would be placed in your supervision at 103 Walnut
8 Drive in Swansboro. He must submit to supervision by the pre-
9 trial office. He continue or actively seek employment. He
10 not obtain a passport or other international travel document,
11 that he remain in the Eastern District of North Carolina. And
12 he should be provided a map of that district. Roughly, it's
13 the forty-four easternmost counties of our state, from the
14 Virginia line to the South Carolina line. It includes places
15 like Wilmington, Jacksonville, Raleigh, Greenville, New Bern,
16 Elizabeth City. It does not include places like Virginia,
17 South Carolina, Durham, Charlotte, Winston-Salem, Asheville.
18 Additionally, that Mr. Hermanson is to avoid all contact,
19 directly or indirectly, with any person who is or may be a
20 victim or witness in the investigation or prosecution. This
21 includes all co-defendants, as well as someone named Maxwell
22 Womack, Joseph Maurino, and Joseph -- it begins with a Z.

23 MS. KOCHER: It's pronounced [Za-ha-rick].

24 THE COURT: Zacharek, and someone named Two --

25 MS. KOCHER: Just the middle -- the first initial is

Colloquy

1 T.

2 THE COURT: -- T. Collins (ph.).

3 MS. KOCHER: That's correct.

4 THE COURT: Next, he shall not possess a firearm, a
5 destructive device, or other weapon. He may not use alcohol
6 at all. He submit -- well, I'm going to add the that he not
7 use or unlawfully possess a narcotic drug or other controlled
8 substance, unless prescribed by a licensed medical
9 practitioner, and that he submit to testing to ensure that
10 he's complying with this condition; that he participate in a
11 program of inpatient or outpatient substance abuse therapy and
12 counseling, if directed by the probation office; that he
13 participate in home detention, whereby he is restricted to his
14 residence at all times, except for employment, education,
15 religious services, medical, substance abuse, or mental health
16 treatment, attorney visits, court appearances, court-ordered
17 obligation, or other activities approved in advance by the
18 probation office or supervising officer; that he submit to
19 electronic monitoring; that he report, as soon as possible,
20 every contact with law enforcement personnel, including
21 arrests, including questioning, and including traffic stops;
22 and that he also submit to warrantless searches of his person,
23 of his residence, of his property, or his vehicle to ensure
24 that he's complying with the conditions of this order.

25 Do you see any problem with him either complying with

Colloquy

1 these conditions or your ability to ensure that he does?

2 THE WITNESS: I do not.

3 THE COURT: Okay. All right.

4 I've got no further questions for her.

5 MR. PARAMORE: You may stand down.

6 THE COURT: You can step down. Thank you.

7 Now, Mr. Hermanson, did you hear these conditions?

8 THE DEFENDANT: Yes, Your Honor, I did.

9 THE COURT: And do you understand these conditions?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: And do you assure the Court that you will

12 follow these conditions while out on release in this case?

13 THE DEFENDANT: Yes, sir, I do.

14 THE COURT: All right. Anything further from either
15 party?

16 MR. PARAMORE: No, Your Honor.

17 MS. KOCHER: Not for the government, Your Honor.

18 THE COURT: Okay. I'd like Mr. Hermanson to review
19 these conditions with his attorney and tell me, in writing,
20 what he just told me orally as well.

21 Ms. Carleen Hermanson will need to sign, signifying
22 her commitment as a third-party custodian. And we need the
23 front page of that police report.

24 MS. FITZGERALD: Your Honor?

25 THE COURT: Yes, ma'am.

Ruling

1 MS. FITZGERALD: Could they hook the RF up tomorrow,
2 given the time it is, and by the time he's processed out --

3 THE COURT: Where is he? New Hanover?

4 MS. FITZGERALD: He -- you're in --

5 MR. PARAMORE: That's correct. New Hanover County
6 Jail, Your Honor.

7 MS. FITZGERALD: Right. But he's going to Onslow.

8 THE COURT: Any problem with him being released today
9 and probation going by there tomorrow to install the
10 electronic monitoring?

11 MS. KOCHER: No, Your Honor.

12 THE COURT: All right.

13 MS. KOCHER: That would suffice.

14 THE COURT: That's fine.

15 MS. FITZGERALD: Thank you.

16 THE COURT: So just to be clear, the order will be
17 effective once it's signed, save for the electronic
18 monitoring, which will be effective once it's properly
19 installed at the residence tomorrow.

20 MS. FITZGERALD: The officer said he might be able to
21 get there this evening, depending on what time.

22 THE COURT: Whenever it's installed.

23 MS. FITZGERALD: Okay.

24 MR. PARAMORE: Your Honor, may I approach? I may
25 have some comments.

Ruling

1 THE COURT: All right.

2 (Pause)

3 THE COURT: All right. Is there anything further
4 regarding Mr. Hermanson's case?

5 MR. PARAMORE: No, Your Honor.

6 MS. KOCHER: No, sir.

7 THE COURT: All right. Thank you very much.

8 MS. KOCHER: Thank you, sir.

9 MR. PARAMORE: Thank you, Your Honor. I'll see you
10 tomorrow.

11 THE CLERK: All rise. The Honorable Court is now
12 adjourned.

13 (Court is adjourned)

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Dated this 5th day of February, 2024.

/s/ Sara Bernstein
SARA BERNSTEIN, CDLT-127

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